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General Assembly

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Sixty-fourth session
Agenda item 42
Report of the Economic and Social Council

Yemen:* draft resolution

Extension of the transition period preceding graduation of Samoa from least developed country status

The General Assembly,

Recalling its resolutions 59/209 of 20 December 2004 and 62/97 of 17 December 2007,

Reaffirming its commitment to the process of graduation from least developed country status and to encouraging smooth transition measures for graduating countries,

Giving due consideration to the unprecedented human and material losses which Samoa suffered as a result of the Pacific Ocean tsunami of 29 September 2009, and to the severe disruption this natural disaster caused to the socio-economic progress the nation had, for several years, been demonstrating,

Inviting the international community to further support the rehabilitation, reconstruction and risk reduction efforts undertaken by the Government of Samoa in a context of special difficulties owing to the impact of the global economic crisis,

1. *Expresses its deep concern* at the consequences for Samoa of the Pacific Ocean tsunami of 29 September 2009;

2. *Decides* to extend by a period of three years, until 1 January 2014, the transition period Samoa is presently benefiting from, until 16 December 2010, before graduation from least developed country status takes place;

3. *Underlines* the exceptional nature of this decision, taken in the context of the unique disruption caused to Samoa by the tsunami.

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

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General Assembly

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Sixty-fourth session
Agenda item 114
Follow-up to the outcome of the Millennium Summit

Draft resolution submitted by the President of the General Assembly

System-wide coherence

The General Assembly,

Recalling the 2005 World Summit Outcome,[1]

Recalling also its resolution 62/277 of 15 September 2008, setting out five areas for consideration by Member States with a view to enhancing United Nations system-wide coherence,

Recalling further its resolution 63/311 of 14 September 2009,

Reaffirming the Beijing Declaration and Platform for Action,[2] the outcome of the twenty-third special session of the General Assembly,[3] the Convention on the Elimination of All Forms of Discrimination against Women[4] and international law, in particular international human rights and humanitarian law,

Reaffirming also its resolution 62/208 of 19 December 2007 on the triennial comprehensive policy review,

Reaffirming further its resolution 2 (I) of 1 February 1946,

Reaffirming that the fundamental characteristics of the operational activities for development of the United Nations system should be, inter alia, their universal, voluntary and grant nature, their neutrality and their multilateralism,

Reaffirming also the key importance of national ownership and national leadership, and underscoring that there is no "one size fits all" approach to development and that development assistance by the United Nations development system should be able to respond to the varying demands of programme countries

[1] See resolution 60/1.
[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[3] Resolution S-23/2, annex, and resolution S-23/3, annex.
[4] United Nations, *Treaty Series*, vol. 1249, No. 20378.

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and should be in alignment with their national development plans and strategies in accordance with established mandates,

Taking note of the reports of the Secretary-General entitled "Comprehensive proposal for the composite entity for gender equality and the empowerment of women",[5] and "Follow-up to General Assembly resolution 63/311 on system-wide coherence related to operational activities for development",[6]

Strengthening governance of operational activities for development of the United Nations system for enhanced system-wide coherence

1. *Requests* the Secretary-General, starting at the sixty-fifth session of the General Assembly, and as background material for the comprehensive policy review, to make available a compilation of all relevant legislation on the roles and responsibilities of the General Assembly, the Economic and Social Council, including its subsidiary bodies, the executive boards of funds and programmes of the United Nations and the governing bodies of the specialized agencies in the governance of United Nations operational activities for development;

2. *Also requests* the Secretary-General to circulate information on the coherence of the calendars, agendas and programmes of work of the governing bodies responsible for United Nations operational activities for development, with a view to enabling them to consider measures to enhance coherence when setting their agendas and programmes of work;

3. *Invites* the President and the bureau of the Economic and Social Council to convene informal coordination meetings with the bureaux of the governing bodies responsible for United Nations operational activities for development, in accordance with their mandates, in order to discuss ways and means to enhance the coherence of their work, and to provide a summary of such informal coordination meetings to Member States;

4. *Reaffirms* the need for enhancing the transparency of the activities of the United Nations System Chief Executives Board for Coordination, in particular to ensure its effective interaction with Member States, while respecting the mandates and working methods of the Board and its member organizations, and in this regard requests:

(a) The Secretary-General, in his capacity as Chair of the Chief Executives Board, to further enhance the quality and quantity of information on the Board's website and to publish and make available to Member States the Board's inter-agency agreements and decisions;

(b) The Secretary-General, in his capacity as the Chair of the Chief Executives Board, to ensure a transparent and balanced approach in its priority-setting, to implement and report on the decisions of relevant intergovernmental bodies and to include appropriate information on the work of the Board in its annual overview report to the Economic and Social Council, which is also studied by the Committee for Programme and Coordination, in order to promote more effective dialogue;

[5] A/64/588.
[6] A/64/589.

(c) The President of the Economic and Social Council to continue to convene periodic briefings for Member States with the Secretariat following the biannual sessions of the Chief Executives Board, taking into account the need to schedule the briefings within a time frame that permits the full utilization of such opportunities by Member States for an effective dialogue with the Board regarding its activities;

5. *Requests* the United Nations Institute for Training and Research, in consultation with the secretariats of the governing bodies responsible for United Nations operational activities for development, as appropriate and in accordance with its statute, and in line with paragraph 3 of section I of General Assembly resolution 64/260, to prepare and carry out orientation and training courses for representatives of Member States, in particular the delegates of the Permanent Missions of Member States, on the functioning of United Nations operational activities for development, including on the roles and responsibilities of governing bodies;

6. *Requests* the Economic and Social Council and the executive boards of United Nations funds and programmes and the governing bodies of the specialized agencies, to consider measures to facilitate the effective participation of national policymakers of developing countries in the operational activities segment of the substantive session of the Council and the regular sessions of the executive boards of the United Nations funds and programmes and the governing bodies of the specialized agencies, giving priority to national policymakers of programme countries, in particular the least developed countries; such measures could include the establishment of new trust funds or the use of existing mechanisms, as appropriate, taking into account the financial situation and arrangements of each organization;

7. *Invites* the United Nations funds and programmes, as appropriate, based on their analysis of good practices, to improve the preparations for and discussions during meetings of their executive boards, taking into account the views expressed by Member States and, in that regard, to include their findings and adopted measures in their annual reports to the Economic and Social Council;

8. *Takes note* of the progress in the creation of a central repository of information on operational activities for development, and requests the Secretary-General to ensure that an update on the advances in the establishment of that mechanism be presented at the substantive session of the Economic and Social Council in 2011 in the context of the comprehensive policy review of operational activities for development;

9. *Encourages* the governing bodies of the funds, programmes and specialized agencies of the United Nations development system to include in their strategic plans, as appropriate, specific provisions for the full implementation of policy guidance provided in the comprehensive policy review of operational activities for development of the General Assembly, and requests the secretariats of the funds, programmes and specialized agencies of the United Nations development system to report on the implementation of those provisions in their regular reporting to the General Assembly through the Economic and Social Council;

10. *Requests* the Secretary-General, under the auspices of the Economic and Social Council and in cooperation with United Nations resident coordinators, to

prepare and put in place a periodic survey, directed to Governments, on the effectiveness, efficiency and relevance of the support of the United Nations system in order to provide feedback on the strengths and main challenges encountered in their interactions with the United Nations development system, with a view to enabling intergovernmental bodies to address them, and also requests that the results of such surveys be published and made available to Member States;

Independent system-wide evaluation mechanism

11. *Recognizes* that the current multi-tiered evaluation system of operational activities for development within the United Nations consists of a number of entities with distinct roles and responsibilities, including the United Nations Evaluation Group, the evaluation offices of individual United Nations organizations, the Office of Internal Oversight Services, the Department of Economic and Social Affairs and the Office for Coordination of Humanitarian Assistance of the Secretariat and the Joint Inspection Unit;

12. *Requests* the Secretary-General, in consultation with the United Nations Evaluation Group and the Joint Inspection Unit, to commission a comprehensive review of the existing institutional framework for the system-wide evaluation of operational activities for development of the United Nations system, and to submit a report, with recommendations, to the General Assembly at its sixty-sixth session;

13. *Affirms*, in this regard, that the establishment of an independent system-wide evaluation mechanism within the United Nations system should be aimed at fully utilizing and strengthening the existing institutional framework and capacities;

Approval of common country programmes

14. *Emphasizes* the principle of national ownership and leadership, and supports the initiative of some countries to use, on a voluntary basis, common country programme documents, as well as the decision of these countries that wish to continue using the existing frameworks and processes for country-level programming;

15. *Recognizes* that local consultative processes could strengthen the principle of national ownership and facilitate effective participation of national policymakers in setting the priority areas of common country programmes;

16. *Invites* those countries presenting a common country programme document on a voluntary basis to prepare it consistent with the United Nations Development Assistance Framework, where it exists, and to present in the common country programme the critical actions that will be taken to achieve the agreed results with available or indicative resources, as well as actions to ensure coherence of the assistance provided by the United Nations system at the country level, attaching, as an annex, a brief description of the agreed results and indicative resources for relevant United Nations agencies;

17. *Invites* the governing body of each fund, programme and specialized agency, where relevant, and in accordance with its mandate, to consider and approve its role and the resources it will require for the implementation of the common country programme on the basis of the agency-specific annex;

18. *Notes* that the approval of the contribution of each fund, programme and specialized agency, where relevant, will be based on an assessment of whether the elements in the agency-specific annex reflect the priorities of its strategic plan and overall mandate, as well as their alignment with national priorities and strategies;

19. *Recognizes* that informal discussions during the joint meeting of the Executive Boards of the United Nations Development Programme/United Nations Population Fund, the United Nations Children's Fund and the World Food Programme on cross-cutting issues, synergies, gaps and duplication, including those related to common country programmes, could provide a useful context for the work of the individual funds and programmes at the country level;

"Delivering as one"

20. *Welcomes* the intergovernmental meetings of programme country pilots held in Kigali, in October 2009, and in Hanoi, in June 2010, takes note with appreciation of the Kigali and Hanoi declarations, and in this regard also takes note of the progress made by "delivering as one" countries in their own country-led evaluations, with the participation of relevant stakeholders and with the technical support of the United Nations Evaluation Group, to be completed by 1 July 2010;

21. *Encourages* the Secretary-General to proceed with the modality for the independent evaluation of lessons learned from the delivering as one pilots, as outlined by the Secretariat, after consultation, covering all aspects of the initiative, and looks forward to receiving the outcome at the sixty-sixth session of the General Assembly;

Improving the funding system of operational activities for development of the United Nations system for enhanced system-wide coherence

General principles

22. *Acknowledges* efforts by developed countries to increase resources for development, including commitments by some developed countries to increase official development assistance, calls for the fulfilment of all official development assistance commitments, including the commitments by many developed countries to achieve the target of 0.7 per cent of gross national income for official development assistance by 2015 and to reach at least 0.5 per cent of gross national income for official development assistance by 2010, as well as the target of 0.15 per cent to 0.20 per cent for least developed countries, and urges those developed countries that have not yet done so to make concrete efforts in this regard in accordance with their commitments;

23. *Welcomes* the growing number of countries making financial contributions to the operational activities of the United Nations development system, as well as the diversification of funding sources and mechanisms within the system, and also welcomes, in this regard, the significant growth in funds contributed to United Nations development operations, from $13 billion in 2003 to $22 billion in 2008, the highest level ever;

24. *Stresses* that core resources, because of their untied nature, continue to be the bedrock of the operational activities for development of the United Nations system, notes with concern in that regard the long-term decline in the share of core contributions to the United Nations development system, which, since 2005, has

levelled off at about 34 per cent, and recognizes the need for organizations to attain, on a continuous basis, an adequate balance between core and non-core resources, taking into account the unique mandate structure and programmes of individual entities, while noting that non-core resources represent an important supplement to the regular resource base of the United Nations development system to support operational activities for development;

25. *Emphasizes* that increasing the financial contributions to the United Nations development system is key to achieving the internationally agreed development goals, including the Millennium Development Goals, and in this regard recognizes the mutually reinforcing links between increased effectiveness, efficiency and coherence of the United Nations development system, achieving concrete results in assisting developing countries in eradicating poverty and achieving sustained economic growth and sustainable development through operational activities for development and the overall resourcing of the United Nations development system;

26. *Stresses* the need for adequate quantity and quality of funding for operational activities as well as the need to make funding more predictable, effective and efficient;

27. *Affirms*, in this context, the importance of accountability, transparency and improved results-based management and further harmonized results-based reporting on the work of the United Nations funds, programmes and specialized agencies for increased quantity and quality of funding for operational activities;

Ensuring adequate funding

28. *Stresses* that funding for operational activities should be aligned with the national priorities and plans of the programme countries as well as the strategic plans, mandates, resource frameworks and priorities of the United Nations funds, programmes and specialized agencies, and underscores, in that regard, the need to further strengthen the results-based frameworks of funds, programmes and agencies of the United Nations development system and for the agencies, funds and programmes to improve their reporting on outputs and nationally owned outcomes;

29. *Emphasizes* the importance of taking measures to broaden the donor base and increase the number of donor countries and other partners making financial contributions to the United Nations development system in order to reduce the reliance of the system on a limited number of donors;

30. *Recognizes* the potential positive impact of determining the level of "critical mass" of core funding for United Nations development agencies, and notes, in that regard, that the concept of critical mass may include, inter alia, the level of resources adequate to respond to the needs of the programme countries, and to produce the results expected in strategic plans, including administrative, management and programme costs;

31. *Invites* the governing bodies of the United Nations funds and programmes to initiate further discussion with a view to exploring the most appropriate definition of, and a process towards arriving at, a critical mass of core funding for each fund and programme, according to their individual mandates;

32. *Invites* the governing bodies of the relevant specialized agencies, within the context of their 2012-2013 budgets, to consider exploring the most appropriate concept of and process for arriving at a critical mass of core funding, according to their individual mandates;

33. *Requests* the funds and programmes to report on their efforts and conclusions on critical mass in their annual or biennial reports to the Economic and Social Council, beginning in 2011, and in that regard encourages the specialized agencies, where relevant, to report on their efforts and conclusions on "critical mass" to the Council;

Improving the quality of funding

34. *Urges* Member States, when legislative and budgetary provisions allow, to make financial contributions to development-related activities of the United Nations system in the form of multi-year commitments in order to improve the predictability of resources;

35. *Urges* all Member States making non-core contributions to operational activities, as well as to the United Nations funds, programmes and specialized agencies, to ensure that these resources are fully aligned with strategic plans and mandates and are in accordance with the priorities of the programme countries within the United Nations Development Assistance Framework;

36. *Urges* the executive boards of the United Nations funds and programmes and the governing bodies of the specialized agencies to take measures to improve their governance and oversight of programme and project-specific non-core funding by including in their annual reports an assessment of how such funding is aligned with the strategic plans of the respective organizations;

37. *Requests* the Secretary-General to include information on all existing multi-donor trust funds and thematic trust funds, including information on their mandates, performance and governance structures, in the annual report on financial statistics to the Economic and Social Council, with a view to further improving the participation of Member States in their governance;

38. *Requests* United Nations agencies administering multi-donor trust funds to report on the administration of those funds to their respective governing bodies on an annual basis in order to ensure better complementarity between funds provided through multi-donor trust funds and other funding sources;

39. *Acknowledges* the ongoing efforts being undertaken by the United Nations Development Group with a view to avoiding the subsidization of non-core resources by core resources, in that regard requests the United Nations funds and programmes, and urges the specialized agencies, to avoid using core/regular resources to cover costs related to the management of extrabudgetary funds and their programme activities, and urges Member States making non-core contributions to reduce transaction costs and streamline reporting requirements, where possible;

Improving information to monitor funding trends

40. *Takes note* of the improved reporting on funding for operational activities of the United Nations development system, and requests that further improvements be made in order to more accurately reflect the diversity in non-core funding

streams, such as multi-donor trust funds, including funds pooled at the global, regional and country levels;

41. *Requests*, in this regard, that future reporting on funding for the United Nations development system more clearly distinguish between funding for development and funding for humanitarian activities, and better differentiate self-supporting contributions from other non-core funding flows;

42. *Requests* the Secretary-General to report on the predictability of funding for the United Nations development system, including the impact of rapid growth in non-core contributions compared to core funding, significant exchange rate fluctuations and the limited use of multi-year pledges, in the annual report to the Economic and Social Council on the results achieved and measures and processes implemented in follow-up to General Assembly resolution 62/208, to be considered by Member States in the context of the comprehensive policy review of operational activities for development of the United Nations system;

Harmonization of business practices

43. *Notes* the submission of the information provided by the United Nations System Chief Executives Board for Coordination regarding the progress made in the area of simplification and harmonization of business practices within the United Nations development system;

44. *Reiterates* that the objective of the simplification and harmonization of business practices within the United Nations development system is to harmonize and simplify rules and procedures wherever this can lead to a significant cost savings and/or reduction in the administrative and procedural burden on the organizations of the United Nations development system and national partners, bearing in mind the special circumstances of programme countries, and to enhance the efficiency, accountability and transparency of the United Nations development system;

45. *Encourages* the United Nations funds and programmes to identify additional efficiency savings, including at their headquarters, through common strategies and common operations, for example in the fields of human resources management, information technology and administration, while ensuring that such common strategies and operations are consistent with relevant intergovernmentally agreed policies, including those related to the United Nations common system, and to take into account the ongoing reforms on administrative and budgetary matters, and recommends, in that regard, that they submit annual reports on progress to their respective governing bodies and, as appropriate, keep the General Assembly abreast of such progress through their respective reporting processes to the Economic and Social Council;

46. *Reiterates its call* upon the United Nations funds, programmes and specialized agencies to ensure, to the extent possible, that savings resulting from reductions in transaction and overhead costs accrue to development programmes in the same countries;

47. *Stresses* that simplification and harmonization of business practices within the United Nations development system, including in the field of procurement, shall be in compliance with relevant intergovernmental mandates, including those established by the General Assembly;

48. *Requests* the Secretary-General, in consultation with the United Nations System Chief Executives Board for Coordination to brief the Economic and Social Council regularly on progress made and challenges encountered in the simplification and harmonization of business practices and to refer any matter requiring an intergovernmental decision to the relevant intergovernmental bodies;

Strengthening the institutional arrangements for support of gender equality and the empowerment of women

Establishment of the entity

49. *Decides* to establish, by the present resolution, as a composite entity, a United Nations entity for gender equality and the empowerment of women, to be known as UN Women, by consolidating and transferring to the entity the existing mandates and functions of the Office of the Special Adviser on Gender Issues and Advancement of Women, and the Division for the Advancement of Women of the Secretariat, as well as those of the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, to function both as a secretariat and to carry out operational activities at the country level, to be operational by 1 January 2011;

50. *Also decides* to establish an Executive Board as the governing body of the entity to provide intergovernmental support to and supervision of its operational activities;

General principles

51. *Decides* that:

(a) The Charter of the United Nations, the Beijing Declaration and Platform for Action,[2] including its 12 critical areas, the outcome of the twenty-third special session of the General Assembly[3] and applicable United Nations instruments, standards and resolutions that support, address and contribute to gender equality and the empowerment and the advancement of women will provide a framework for the work of the entity;

(b) Based on the principle of universality, the entity will provide, through its normative support functions and operational activities, guidance and technical support to all Member States, across all levels of development and in all regions, at their request, on gender equality, the empowerment and rights of women and gender mainstreaming;

(c) The entity will operate on the basis of principles agreed to through the process of the comprehensive policy review in its operational activities, in particular responding to the needs of and priorities determined by Member States, upon their request;

(d) The entity will work in consultation with the respective national machineries for women and/or the focal points designated by the Member States;

(e) Data used by the entity must be verifiable, accurate, reliable and disaggregated by age and sex, including information provided by national official sources;

52. *Also decides* that the establishment of the entity and the conduct of its work should lead to more effective coordination, coherence and gender mainstreaming across the United Nations system;

53. *Further decides* that the mandate and functions of the entity shall consist of the consolidation of the mandates and functions of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, with the additional role of leading, coordinating and promoting the accountability of the United Nations system in its work on gender equality and women's empowerment, and that any new mandates will be subject to approval by intergovernmental process;

54. *Recognizes* that civil society organizations, in particular women's organizations, play a vital role in promoting women's rights, gender equality and the empowerment of women;

55. *Requests* the head of the entity to continue the existing practice of effective consultation with civil society organizations, and encourages their meaningful contribution to the work of the entity;

56. *Notes* that the entity will operate as part of the resident coordinator system, within the United Nations country team, leading and coordinating the work of the country team on gender equality and women's empowerment, under the overall leadership of the United Nations resident coordinator;

Governance of the entity

57. *Decides*:

(a) That the General Assembly, the Economic and Social Council and the Commission on the Status of Women will constitute the multi-tiered intergovernmental governance structure for the normative support functions of and will provide normative policy guidance to the entity;

(b) That the General Assembly, the Economic and Social Council and the Executive Board of the entity will constitute the multi-tiered intergovernmental governance structure for the operational activities of the entity and will provide operational policy guidance to it;

58. *Emphasizes* that support of gender mainstreaming across the United Nations system will be an integral part of the work of the entity;

59. *Decides* that the Executive Board will carry out functions as outlined in annex I to General Assembly resolution 48/162 of 20 December 1993, taking into account the provisions of the present resolution;

60. *Also decides* that the Executive Board will consist of 41 members, as follows:

(a) Ten from the Group of African States;

(b) Ten from the Group of Asian States;

(c) Four from the Group of Eastern European States;

(d) Six from the Group of Latin American and Caribbean States;

(e) Five from the Group of Western European and Other States;

(f) Six from contributing countries;

61. *Further decides* that the six seats allocated to contributing countries will be distributed as follows:

(a) Four seats to be allocated to four of the largest providers of voluntary core contributions to the entity, to be selected by and from among the top ten such contributors;

(b) Two seats to be allocated to two developing countries, not members of the Development Assistance Committee of the Organization for Cooperation and Development, that provide voluntary core contributions to the entity, to be selected from among the top ten such providers by those developing countries, due consideration being given to geographical balance;

62. *Decides* that the above allocations should be in accordance with the list provided by the Secretary-General of the average annual voluntary contributions of Member States in the previous three calendar years to the core budget of the entity or, for the interim period, to the United Nations Development Fund for Women, for which statistical data are available;

63. *Also decides* that a Member State can be selected from only one category at any one time;

64. *Further decides* that the Economic and Social Council will elect members to the Executive Board for a term of three years, in accordance with established practice, and requests the Council to carry out the first elections not later than 31 December 2010;

65. *Decides* that the Executive Board shall report annually on its programme and activities to the General Assembly, through the Economic and Social Council at its substantive session;

66. *Also decides* to include the Executive Board of the entity in the joint meeting of the executive boards of the United Nations Development Programme/the United Nations Population Fund, the United Nations Children's Fund and the World Food Programme in order to promote effective coordination and coherence among operational activities on gender mainstreaming and the empowerment of women;

67. *Emphasizes* the need to establish concrete results-based reporting mechanisms, as well as the need for consistency, coordination and coherence between the normative and operational aspects of the work of the entity and in that regard requests:

(a) The Commission on the Status of Women and the Executive Board to work closely together to provide coherent guidance and direction in their respective areas;

(b) The Economic and Social Council at its substantive session of 2010 to establish appropriate and concrete linkages between the Commission and the Executive Board to ensure consistency between the overall policy guidance set by the Commission and the operational strategies and operational activities approved by the Executive Board;

(c) The head of the entity to submit to the Commission an annual report on the normative aspects of the entity's work and on its implementation of the policy guidance provided by the Commission;

(d) The head of the entity to submit an annual report on operational activities for the consideration of the Executive Board, and to report on those activities to the Economic and Social Council at its operational activities segment;

(e) That the Economic and Social Council in turn submit its report to the General Assembly;

Administration and human resources

68. *Decides* that the entity shall provide support to intergovernmental policy and normative processes and all its programmes of operational activities to support Member States, upon their request;

69. *Also decides*:

(a) That the entity shall be headed by an Under-Secretary-General, to be appointed by the Secretary-General, in consultation with Member States, for a term of four years, with the possibility of renewal for one term, in accordance with the relevant provisions of Article 101 of the Charter of the United Nations, the position to be financed from the regular budget;

(b) That the Under-Secretary-General/head of the entity shall report to the Secretary-General and shall be a full member of the United Nations System Chief Executives Board for Coordination;

70. *Encourages* the Secretary-General to appoint the Under-Secretary-General/head of the entity to the Policy Committee, the Senior Management Group and other relevant internal United Nations decision-making mechanisms;

71. *Decides* that the entity should be accountable to Member States in accordance with applicable rules and standards;

72. *Also decides* that the Under-Secretary-General/head of the entity shall appoint and administer the staff of the entity, including for its operational activities, in accordance with the United Nations Staff Regulations and Rules and that the Secretary-General shall delegate to the Under-Secretary-General/head of the entity formal authority in personnel matters, while ensuring that the entity shall be subject to the oversight bodies;

73. *Further decides* that the composition and selection of staff of the entity shall be in accordance with the provisions of Article 101 of the Charter of the United Nations, with due regard to geographical representation and gender balance;

74. *Requests* the Under-Secretary-General/head of the entity to establish appropriate mechanisms to assist and support the realization of all the strategic objectives and actions agreed upon in the Beijing Declaration and Platform for Action,[2] as well as the national and international commitments stipulated in the outcome document of the twenty-third special session of the General Assembly;[3]

Financing

75. *Decides* that the resources required to service the normative intergovernmental processes shall be funded from the regular budget and approved by the General Assembly; the resources required to service the operational intergovernmental processes and operational activities at all levels shall be funded from voluntary contributions and approved by the Executive Board;

76. *Requests* the Secretary-General to submit to the General Assembly for its approval during the main part of its sixty-fifth session a report containing a revised proposal for the use of regular budget resources approved for the biennium 2010-2011 for the normative support functions of the new entity, in accordance with all relevant United Nations rules and procedures, including a detailed organizational chart of the entity and options for administrative arrangements for the regular budget of the entity;

77. *Requests* the Under-Secretary-General to submit a report to the Executive Board, including the organizational chart referred to in paragraph 76 above, together with a revised draft strategic plan and proposal for the use of voluntary resources for the support budget for the biennium 2010-2011;

78. *Decides* that the structure of the entity as set out in the organizational chart will reflect the universal coverage of the entity;

79. *Also decides* that the operational activities of the entity shall have financial regulations and rules similar to those of other operational United Nations funds and programmes, and consistent with the United Nations Financial Regulations and Rules, and, in that regard, requests the Under-Secretary-General/head of entity to present a proposal for financial regulations, for consideration and adoption by the Executive Board, and to promulgate the financial rules;

80. *Stresses* the need to ensure adequate funding for the entity, invites Member States, when legislative and budgetary provisions allow, to provide core, multi-year, predictable, stable and sustainable voluntary contributions to the entity, and decides that reporting on funding should be transparent and easily accessible to Member States, including through the creation of an online registry that contains such financial information;

Transitional arrangements

81. *Decides*, with reference to paragraph 49 above, that a transition period will start upon the date of the adoption of the present resolution and continue until 31 December 2010;

82. *Also decides* that all the activities, including training programmes and research, of the United Nations Development Fund for Women, the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women and the International Research and Training Institute for the Advancement of Women will continue in accordance with the operational arrangements established before the date of the adoption of the present resolution until replaced by new arrangements;

83. *Further decides* to transfer the existing mandates, functions, assets, including facilities and infrastructure, and liabilities, including contractual

obligations, of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women to the entity upon the adoption of the present resolution, and requests the Secretary-General to address all staffing issues in accordance with United Nations Staff Regulations and Rules;

84. *Decides* that the process of consolidation of the institutional and operational arrangements, partnerships and brands of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women will start from the date of the adoption of the present resolution and continue under the leadership and authority of the Under-Secretary-General, once appointed;

85. *Requests* the Secretary-General to appoint the Under-Secretary-General by the beginning of the sixty-fifth session of the General Assembly in order to oversee the transitional arrangements of the entity before its operationalization, and decides that the position of the Under-Secretary-General will be funded from existing temporary assistance funds pending the submission of the report on the revised regular budget required to be submitted to the Assembly at its sixty-fifth session;

86. *Decides* to dissolve the United Nations Development Fund for Women as of the date of the adoption of the present resolution;

87. *Requests* the Economic and Social Council to dissolve the International Research and Training Institute for the Advancement of Women as of the date of the adoption of the pertinent resolution;

88. *Decides* that any expansion of the capacity of the entity should be orderly, based on a proposal by the head of the entity to the Executive Board, building on the field presence and infrastructure of the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women;

Review of implementation

89. *Requests* the Secretary-General to submit a progress report on the implementation of the part entitled "Strengthening the institutional arrangements for support of gender equality and the empowerment of women" of the present resolution to the General Assembly at its sixty-sixth and sixty-seventh sessions;

90. *Decides* to review the work of the entity for gender equality and the empowerment of women at its sixty-eighth session, and requests the Secretary-General to present a comprehensive report in that regard to the General Assembly at its sixty-eighth session.

United Nations A/64/L.57

General Assembly

Distr.: Limited
29 June 2010

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Sixty-fourth session
Agenda item 18
The situation in the occupied territories of Azerbaijan

Azerbaijan: draft resolution

Observance of international humanitarian law and international human rights law in the occupied territories of Azerbaijan

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Reaffirming the principles and norms of international humanitarian law, in particular The Hague Convention respecting the Laws and Customs of War on Land of 18 October 1907 and the Regulations annexed thereto[1] and the Geneva Conventions of 12 August 1949[2] and Additional Protocol I thereto of 8 June 1977,[3]

Reaffirming also the international standards of human rights, in particular the Universal Declaration of Human Rights,[4] the Convention on the Prevention and Punishment of the Crime of Genocide,[5] the International Covenant on Economic, Social and Cultural Rights,[6] the International Covenant on Civil and Political Rights,[6] the International Convention on the Elimination of All Forms of Racial Discrimination,[7] the Convention on the Elimination of All Forms of Discrimination against Women,[8] the Convention on the Rights of the Child,[9] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[10] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[11]

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[1] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).
[2] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[3] Ibid., vol. 1125, No. 17512.
[4] Resolution 217 A (III).
[5] Resolution 260 A (III), annex.
[6] See resolution 2200 A (XXI), annex.
[7] United Nations, *Treaty Series*, vol. 660, No. 9464.
[8] Ibid., vol. 1249, No. 20378.
[9] Ibid., vol. 1577, No. 27531.
[10] Ibid., vol. 1465, No. 24841.
[11] A/CONF.157/24 (Part I), chap. III.

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Reaffirming further the importance of the principles and provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954[12] and its Protocols of 14 May 1954[12] and 26 March 1999[13] respectively,

Recalling General Assembly resolutions 48/114 of 20 December 1993, entitled "Emergency international assistance to refugees and displaced persons in Azerbaijan", and 60/285 of 7 September 2006 and 62/243 of 14 March 2008, both entitled "The situation in the occupied territories of Azerbaijan",

Recalling also Security Council resolutions 822 (1993) of 30 April 1993, 853 (1993) of 29 July 1993, 874 (1993) of 14 October 1993 and 884 (1993) of 12 November 1993,

Recalling further the report of the fact-finding mission of the Minsk Group of the Organization for Security and Cooperation in Europe to the occupied territories of Azerbaijan surrounding Nagorno-Karabakh and the letter on the fact-finding mission from the Co-Chairs of the Minsk Group addressed to the Permanent Council of the Organization for Security and Cooperation in Europe,[14] as well as the report of the environmental assessment mission led by the Organization for Security and Cooperation in Europe to the fire-affected territories in and around the Nagorno-Karabakh region,[15]

Taking note of the report of the Secretary-General on the situation in the occupied territories of Azerbaijan, in implementation of General Assembly resolution 62/243,[16]

Taking note also of the joint statement on the Nagorno-Karabakh conflict made in Muskoka, Canada, on 26 June 2010 by the Presidents of the countries of the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe, France, the Russian Federation and the United States of America, in which, inter alia, they reaffirmed their commitment to support the leaders of Armenia and Azerbaijan as they finalize the basic principles for the peaceful settlement of the conflict,

Gravely concerned by forced demographic changes, interference with property rights, inadequate protection of the cultural heritage and sacred sites in the conflict-affected territories in and around the Nagorno-Karabakh region and the unresolved issue of persons reported missing,

Affirming the obligation of the parties concerned to respect international humanitarian law and international human rights law,

1. *Reaffirms* the continuing applicability of all relevant norms of international humanitarian law and international human rights law to the situation concerning the conflict-affected territories in and around the Nagorno-Karabakh region;

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[12] United Nations, *Treaty Series*, vol. 249, No. 3511.

[13] Ibid., vol. 2253, No. 3511.

[14] A/59/747-S/2005/187, annexes I and II.

[15] A/61/696, annex.

[16] A/63/804 and Corr.1 and Add.1.

2. *Also reaffirms* the commitment to ensure the inalienable right of the population expelled from the conflict-affected territories in and around the Nagorno-Karabakh region and their descendants to return to their homes, and stresses the necessity of creating appropriate conditions to this end;

3. *Determines* that the return of the population expelled from the conflict-affected territories in and around the Nagorno-Karabakh region will create favourable conditions for taking confidence-building measures and encouraging people-to-people contacts;

4. *Also determines* that all measures taken to change unilaterally the physical character, demographic composition, institutional structure and status of the conflict-affected territories have no legal effect and constitute a serious obstruction to ongoing efforts towards the negotiated settlement of the conflict;

5. *Stresses* the need to ensure the protection of cultural heritage and sacred sites in the conflict-affected territories in and around the Nagorno-Karabakh region;

6. *Underlines* the need to take immediate steps in establishing the fate of persons reported missing in connection with the conflict, and urges States and encourages intergovernmental and non-governmental organizations to take all necessary measures to provide appropriate assistance to this end;

7. *Invites* relevant special procedures of the Human Rights Council, the United Nations human rights treaty monitoring bodies and other United Nations entities, as appropriate, to address in fulfilling their respective mandates the issue of observance of international humanitarian law and international human rights law in the conflict-affected territories in and around the Nagorno-Karabakh region;

8. *Also invites* the Organization for Security and Cooperation in Europe to dispatch urgently a multinational fact-finding mission, composed of the representatives of the participating States of the Organization with the relevant expertise, to inquire into and report on the observance of international humanitarian law and international human rights law in the conflict-affected territories in and around the Nagorno-Karabakh region, paying primary attention to the implantation of settlers and to the current state of cultural heritage and sacred sites in these territories, and requests the Secretary-General to provide, if necessary, the relevant assistance to this end;

9. *Requests* the Secretary-General to prepare, in collaboration with United Nations entities and international and regional organizations and arrangements, as appropriate, and submit to the General Assembly at its sixty-fifth session a comprehensive report on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "The situation in the occupied territories of Azerbaijan".

United Nations A/64/L.58

General Assembly

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30 June 2010

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Sixty-fourth session
Agenda item 114
Follow-up to the Outcome of the Millennium Summit

Benin, Bosnia and Herzegovina, Chile, Costa Rica, Georgia, Guatemala, Jordan, Nicaragua, Norway, Portugal and Qatar: draft resolution

The right to education in emergency situations

The General Assembly,

Reaffirming that everyone shall enjoy the human right to education, and recalling in that regard the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the 1951 Convention relating to the Status of Refugees,[3] the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[4] the Convention on the Elimination of All Forms of Discrimination against Women,[5] the Convention on the Elimination of All Forms of Racial Discrimination,[6] the Convention on the Rights of the Child[7] and the Convention on the Rights of Persons with Disabilities,[8]

Recalling all relevant United Nations resolutions related to the right to education in emergency situations,[9]

Recalling also that, in the United Nations Millennium Declaration,[10] it was resolved that children everywhere, boys and girls alike, would be able to complete a

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 189, No. 2545.
[4] Ibid., vol. 75, No. 973.
[5] Ibid., vol. 1249, No. 20378.
[6] Ibid., vol. 660, No. 9464.
[7] Ibid., vol. 1577, No. 27531.
[8] Resolution 61/106, annex I.
[9] Resolutions 46/182, 59/113 A and B, 63/241, 64/145, 64/146 and other General Assembly resolutions on the rights of the child, the strengthening of the coordination of emergency humanitarian assistance and international cooperation on humanitarian assistance in the field of natural disasters; Security Council resolutions 1325 (2000), 1612 (2005), 1674 (2006), 1882 (2009), 1888 (2009), 1889 (2009) and 1894 (2009); and Human Rights Council resolutions 8/4 and 11/6.
[10] See resolution 55/2.

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full course of primary schooling and that girls and boys would have equal access to all levels of education by 2015,

Recognizing that a large proportion of the world's children out of school live in conflict-affected areas and in natural-disaster-stricken regions, and that this is a serious challenge to the fulfilment of the international education goals, including Millennium Development Goal 2,

Underscoring the fact that the Convention on the Rights of the Child must constitute the standard in the promotion and protection of the rights of the child and that the requirements for the realization of the right to education, pertinent also to emergency situations, are set out in articles 28 and 29 of that Convention,

Deeply concerned that, despite the progress made in recent years towards achieving the goals of the Education for All initiative agreed upon at the World Education Forum held in Dakar in April 2000,[11] the level of funding for international education goals is inadequate,

Deeply concerned also that, in the humanitarian consolidated and flash appeals launched in 2009, the education sector was one of the most underfunded with respect to meeting the original requirements,

Recognizing that ensuring the right to education in emergency situations requires specifically designed, flexible and inclusive approaches consistent with protection needs, conflict mitigation initiatives and disaster risk reduction considerations,

Condemning the targeting of civilians as such in situations of armed conflict, including schoolchildren, students and teachers, as well as attacks on civilian objects such as educational institutions, as prohibited under international law, recognizing that such acts may constitute grave breaches of the Geneva Conventions and, for States parties, war crimes under the Rome Statute of the International Criminal Court,[12] and reminding all parties to armed conflict of their obligations under international law to refrain from the use of civilian objects, including educational institutions, for military purposes and child recruitment,

Acknowledging that protecting schools and providing education in emergencies should remain a key priority for the international community and Member States,

Recognizing the important role that education can play in supporting efforts in emergency situations to halt and prevent abuses committed against affected populations, in particular efforts to prevent all forms of violence, including rape and other acts of sexual violence, exploitation, trafficking in persons and the worst forms of child labour,

Emphasizing the importance of the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education,[13] as appropriate, and encouraging all States to develop initiatives in that regard,

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[11] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[12] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[13] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, resolution 6/24.

Considering that quality education can mitigate the psychosocial impact of armed conflicts and natural disasters by providing a sense of normalcy, stability, structure and hope for the future,

Considering also that, in situations of displacement, education, among other factors, can play a significant role in contributing towards preparing for and promoting durable solutions for the affected population,

1. *Welcomes* the work of the Special Rapporteur on the right to education, and takes note of his report on the right to education in emergency situations;[14]

2. *Also welcomes* the work carried out by the Committee on the Rights of the Child through the holding of a day of general discussion on the right of the child to education in emergency situations;

3. *Notes with appreciation* the work of the Special Representative of the Secretary-General for Children and Armed Conflict on violations and abuses committed against children in armed conflict, and notes the importance of her continuing work, within her existing mandate, on the adverse impact of armed conflict on the education of children;

4. *Welcomes* the global advocacy initiative entitled the "One million safe schools and hospitals" campaign, launched on 8 April 2010 in Manila, aimed at making schools and hospitals safer from disasters, as part of the "Resilient cities" global campaign of the International Strategy for Disaster Reduction for 2010 and 2011;

5. *Recognizes* the establishment of the education cluster by the United Nations Inter-Agency Standing Committee and other initiatives as measures to address, in a coordinated manner, educational needs in emergency situations, including through partnerships for the implementation of the "Minimum standards for education: preparedness, response, recovery" handbook of the Inter-Agency Network for Education in Emergencies, calls on donors to support the work of the cluster, and emphasizes that those measures should continue to be taken in close coordination with relevant authorities;

6. *Notes* its thematic debate of 18 March 2009 on access to education in emergency, post-crisis and transition situations caused by man-made conflicts;

Education in all stages of humanitarian response

7. *Urges* Member States to implement strategies and policies to ensure and support the realization of the right to education as an integral element of humanitarian assistance and humanitarian response, to the maximum of their available resources, with the support of the international community, the United Nations system, donors, multilateral agencies, the private sector, civil society and non-governmental organizations;

8. *Requests* Member States to ensure that the best possible systems of education are in place, including through the allocation of sufficient resources, the appropriate adaptation of curricula and training of teachers, the implementation of risk assessments, disaster preparedness programmes in schools, the legal framework for protection, and health and basic social services, so as to withstand emergencies;

[14] A/HRC/8/10.

Safe and protective educational environment

9. *Recommends* that Member States ensure access to education in emergency situations to all affected populations, in accordance with their obligations under international law and without discrimination of any kind;

10. *Urges* all parties to armed conflict to fulfil their obligations under international law, in particular their applicable obligations under international humanitarian law and international human rights law, including to respect civilians, including students and educational personnel, to respect civilian objects such as educational institutions and to refrain from the recruitment of children into armed forces or groups, in accordance with their applicable obligations under international law, urges Member States to fulfil their applicable obligations under international law, including international humanitarian law, related to the protection and respect of civilians and civilian objects, and urges them, in order to prevent and combat impunity, to criminalize under their domestic law attacks on educational buildings, and stresses that such attacks may constitute grave breaches of the Geneva Conventions and, for States parties, war crimes under the Rome Statute of the International Criminal Court;[12]

11. *Also urges* Member States to ensure that disaster risk and safety considerations are factored into all phases of the planning, design, construction and reconstruction of educational facilities, through the consideration, inter alia, of the recommendations contained in the "Minimum standards for education: preparedness, response, recovery" handbook of the Inter-Agency Network for Education in Emergencies and its "Guidance notes on safer school construction";

12. *Further urges* Member States, in their support for education, to specifically address the gender-specific needs of girls in emergency contexts, including their increased vulnerability to gender-based violence;

13. *Invites* relevant United Nations entities and partners to allocate sufficient technical expertise to enhance, in close consultation with concerned Member States and relevant authorities, data collection on and documentation of the impact of emergencies on the access of children and young people to quality education, disaggregated by age and gender, and on attacks on educational institutions, students and educators, with due consideration given to information provided by concerned States and relevant authorities;

14. *Urges* Member States to implement gender-sensitive policies and programme interventions, in order to ensure that populations affected by emergency situations have equal access to safe, quality and relevant education;

Reconstruction and post-emergency situations

15. *Also urges* Member States to provide quality education in emergency situations that is gender-sensitive, centred on learners, rights-based, protective, adaptable, inclusive, participatory and reflective of the specific living conditions of children and youth and that pays due regard, as appropriate, to their linguistic and cultural identity, mindful that quality education can foster tolerance and mutual understanding and respect for the human rights of others;

16. *Calls upon* all parties concerned to ensure that all peace processes and agreements and post-conflict recovery, peacemaking and peacebuilding efforts, as

well as reconstruction planning, are sensitive to the special and specific needs of women, children and youth and include specific measures for the protection of civilians, including the facilitation of early access to education, learning and training, and to ensure the participation of women, children and youth in those processes;

17. *Calls upon* States and other relevant actors to ensure the facilitation of early access to education and training for children and adults in secure and friendly environments in the aftermath of emergencies, including through the implementation of specific related measures in early recovery initiatives, peacemaking and peacebuilding processes, capacity-building strategies, the participation of children and youth and the mobilization and prioritization of human, technical and financial resources;

The importance of political will and financing

18. *Reaffirms its commitment* to supporting the efforts of developing countries to ensure that all children have access to and complete free and compulsory primary education of good quality, to eliminating gender inequality and imbalances and to renewing efforts to improve the education of girls, and to continuing to support the efforts of developing countries in the implementation of the Education for All initiative, including with enhanced resources of all types through the Education for All fast-track initiative in support of country-led national education plans, and urges donors to honour their pledged contributions;

19. *Calls upon* States, as primary duty-bearers, to ensure the realization of the right to education in all phases of emergency situations, in a manner that meets the essential needs of the affected populations, recognizing the role of the donor community and humanitarian agencies in assisting those efforts;

20. *Calls upon* all Member States, including donors, and invites the private sector and all concerned individuals and institutions to continue to support diverse humanitarian funding channels and to consider increasing their contributions to education programmes defined in humanitarian appeals, including humanitarian consolidated and flash appeals, based on and in proportion to assessed needs, as a means of ensuring adequate, timely, predictable, flexible and needs-based resources;

Follow-up

21. *Requests* the Special Rapporteur on the right to education, in close cooperation with all relevant stakeholders, including Governments, United Nations agencies and programmes, civil society and other relevant United Nations mandate holders, to include in his next interim report to the General Assembly at its sixty-sixth session an update to his report on the right to education in emergencies, in order to identify gaps and remaining challenges in ensuring the right to education in emergency situations.

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General Assembly

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Sixty-fourth session
Agenda item 114
Follow-up to the Outcome of the Millennium Summit

Benin, Bosnia and Herzegovina, Chile, Costa Rica, Georgia, Guatemala, Jordan, Nicaragua, Norway, Portugal and Qatar: draft resolution

The right to education in emergency situations

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Australia, Bangladesh, Belgium, Brazil, Canada, Colombia, Croatia, Dominican Republic, Estonia, Finland, Germany, Israel, Italy, Lithuania, Luxembourg, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Romania, Serbia, Slovenia, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland and Uruguay

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United Nations A/64/L.59

General Assembly

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13 July 2010

Original: English

Sixty-fourth session
Agenda item 128
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Draft decision submitted by the President of the General Assembly

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly, having considered the letter from the Secretary-General dated 18 June 2010,[1] transmitting a letter from the President of the International Tribunal for the former Yugoslavia ("the International Tribunal") dated 31 May 2010, and taking note of the letter from the President of the Security Council dated 29 June 2010,[2] transmitting the text of Council resolution 1931 (2010) of 29 June 2010:

(a) Reaffirms the necessity for the trial of persons indicted by the International Tribunal, reiterates its call upon all States, especially the States of the former Yugoslavia, to intensify cooperation with and render all necessary assistance to the International Tribunal, and, in particular, calls for the arrest of Ratko Mladić and Goran Hadžić, as well as other indictees of the International Tribunal;

(b) Notes the importance of the International Tribunal being adequately staffed to complete its work expeditiously, calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the International Tribunal in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

(c) Decides to extend the terms of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until

[1] A/64/841-S/2010/330.
[2] A/64/861.

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31 December 2012 or until the completion of the cases to which they are assigned or until the completion of their term as members of the Appeals Chamber, if sooner:

Carmel Agius (Malta)

Liu Daqun (China)

Theodor Meron (United States of America)

Fausto Pocar (Italy)

Patrick Robinson (Jamaica)

(d) Decides to extend the terms of office of the following permanent judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

Jean-Claude Antonetti (France)

Guy Delvoie (Belgium)

Burton Hall (Bahamas)

Christoph Flügge (Germany)

O-Gon Kwon (Republic of Korea)

Bakone Justice Moloto (South Africa)

Howard Morrison (United Kingdom of Great Britain and Northern Ireland)

Alphons Orie (Netherlands)

(e) Decides to extend the terms of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

Melville Baird (Trinidad and Tobago)

Pedro David (Argentina)

Elizabeth Gwaunza (Zimbabwe)

Frederik Harhoff (Denmark)

Flavia Lattanzi (Italy)

Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo)

Prisca Matimba Nyambe (Zambia)

Michèle Picard (France)

Árpád Prandler (Hungary)

Stefan Trechsel (Switzerland)

(f) Underlines its intention to extend, by 30 June 2011, the terms of office of the trial judges at the International Tribunal on the basis of the Tribunal's projected trial schedule, and requests the President of the International Tribunal to submit an updated trial and appeals schedule no later than 15 May 2011;

(g) Decides to allow ad litem Judges Baird, David, Gwaunza, Harhoff, Lattanzi, Mindua, Picard, Prandler and Trechsel to serve at the International Tribunal beyond the cumulative period of service provided for under article 13 ter, paragraph 2, of the Statute of the International Tribunal;

(h) Urges the International Tribunal to complete its work expeditiously.

United Nations A/64/L.60

General Assembly

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Sixty-fourth session
Agenda item 127
International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Draft decision submitted by the President of the General Assembly

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly, having considered the letter from the Secretary-General dated 2 June 2010,[1] transmitting a letter from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 dated 25 May 2010, and taking note of the letter from the President of the Security Council dated 29 June 2010,[2] transmitting the text of Council resolution 1932 (2010) of 29 June 2010,

(a) Reaffirms the necessity of trial of persons indicted by the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, reiterates its call on all States, especially the States of the Great Lakes region, to intensify cooperation with and render all

[1] S/2010/289.
[2] A/64/862.

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necessary assistance to the Tribunal, and, in particular, calls upon relevant States to increase their efforts to bring Félicien Kabuga, Augustin Bizimana, Protais Mpiranya and other indictees of the Tribunal to justice;

(b) Notes the importance of the Tribunal being adequately staffed in order to complete its work expeditiously, calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the Tribunal to find practicable solutions to address the issue of staffing as the Tribunal approaches the completion of its work, and at the same time calls upon the Tribunal to renew its efforts to focus on its core functions;

(c) Decides to extend the terms of office of the following permanent judges at the Tribunal, who are members of the Appeals Chamber, until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner:

Mehmet Güney (Turkey)

Andrésia Vaz (Senegal)

(d) Decides to extend the terms of office of the following permanent judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

Charles Michael Dennis Byron (Saint Kitts and Nevis)

Khalida Rachid Khan (Pakistan)

Arlette Ramaroson (Madagascar)

William H. Sekule (United Republic of Tanzania)

Bakhtiyar Tuzmukhamedov (Russian Federation)

(e) Decides to extend the terms of office of the following ad litem judges at the Tribunal, who are members of the Trial Chambers, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

Aydin Sefa Akay (Turkey)

Florence Rita Arrey (Cameroon)

Solomy Balungi Bossa (Uganda)

Vagn Joensen (Denmark)

Gberdao Gustave Kam (Burkina Faso)

Lee Gacuiga Muthoga (Kenya)

Seon Ki Park (Republic of Korea)

Mparany Mamy Richard Rajohnson (Madagascar)

Emile Francis Short (Ghana)

(f) Decides to amend article 12 ter of the statute of the International Criminal Tribunal for Rwanda by the addition of a paragraph, as set out in the annex to the present decision;

(g) Urges the International Criminal Tribunal for Rwanda to complete its work expeditiously.

Annex

Article 12 ter
Election and appointment of ad litem judges

3. If there are no ad litem judges remaining on the roster or if no ad litem judge on the roster is available for appointment, and if it is not possible to assign a judge currently serving at the Tribunal, and all practical alternatives having been explored, the Secretary-General may, at the request of the President of the Tribunal, appoint a former permanent or ad litem judge of the Tribunal or of the International Tribunal for the Former Yugoslavia to serve as an ad litem judge in the Trial Chambers for one or more trials.

United Nations A/64/L.61

General Assembly

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Sixty-fourth session
Agenda items 48 and 114

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

Afghanistan, Cambodia, Canada, Congo, Costa Rica, El Salvador, Fiji, Honduras, Ireland, Japan, Jordan, Kazakhstan, Madagascar, Malawi, Mali, Marshall Islands, Mexico, Micronesia (Federated States of), Mongolia, Nauru, Nepal, Nigeria, Norway, Palau, Papua New Guinea, Philippines, Samoa, Senegal, Slovenia, Switzerland, Thailand, Tonga, Tuvalu, United Republic of Tanzania, United States of America and Vanuatu: draft resolution

Follow-up to paragraph 143 on human security of the 2005 World Summit Outcome

The General Assembly,

Reaffirming its respect for all the purposes and principles of the Charter of the United Nations,

Recalling the 2005 World Summit Outcome,[1] especially paragraph 143 thereof,

1. *Takes note* of the first formal debate organized by the President of the General Assembly on 20 and 21 May 2010, in which different views on the notion of human security were presented by Member States, including on the report of the Secretary-General;[2]

2. *Also takes note* of the ongoing efforts to define the notion of human security, and recognizes the need to continue the discussion and to achieve an agreement on the definition thereof in the General Assembly;

[1] See resolution 60/1.
[2] A/64/701.

10-45105 (E) 150710

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3. *Requests* the Secretary-General to seek the views of the Member States on the notion of human security, including on a possible definition thereof, and to submit a report to the General Assembly at its sixty-sixth session;

4. *Decides* to continue its consideration of the notion of human security.

United Nations A/64/L.62

General Assembly

Distr.: Limited
16 July 2010

Original: English

Sixty-fourth session
Agenda item 14
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Georgia: draft resolution

Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia

The General Assembly,

Recalling all its relevant resolutions on the protection of and assistance to internally displaced persons, including its resolutions 62/153 of 18 December 2007, 62/249 of 15 May 2008, 63/307 of 9 September 2009 and 64/162 of 18 December 2009,

Recalling also all relevant Security Council resolutions on Georgia relating to the need for all parties to work towards a comprehensive peace and the return of internally displaced persons and refugees to their places of origin, and stressing the importance of their full and timely implementation,

Recognizing the Guiding Principles on Internal Displacement[1] as the key international framework for the protection of internally displaced persons,

Concerned by forced demographic changes resulting from the conflicts in Georgia,

Concerned also by the humanitarian situation caused by armed conflict in August 2008, which resulted in the further forced displacement of civilians,

Mindful of the urgent need to find a solution to the problems related to forced displacement in Georgia,

Underlining the importance of the discussions that commenced in Geneva on 15 October 2008 and of continuing to address the issue of the voluntary, safe, dignified and unhindered return of internally displaced persons and refugees on the basis of internationally recognized principles and conflict-settlement practices,

[1] E/CN.4/1998/53/Add.2, annex.

Please recycle

Taking note of the report of the Secretary-General concerning the implementation of General Assembly resolution 63/307,[2]

1. *Recognizes* the right of return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, to their homes throughout Georgia, including in Abkhazia and South Ossetia;

2. *Stresses* the need to respect the property rights of all internally displaced persons and refugees affected by the conflicts in Georgia and to refrain from obtaining property in violation of those rights;

3. *Reaffirms* the unacceptability of forced demographic changes;

4. *Underlines* the urgent need for unimpeded access for humanitarian activities to all internally displaced persons, refugees and other persons residing in all conflict-affected areas throughout Georgia;

5. *Calls upon* all participants in the Geneva discussions to intensify their efforts to establish a durable peace, to commit to enhanced confidence-building measures and to take immediate steps to ensure respect for human rights and create favourable security conditions conducive to the voluntary, safe, dignified and unhindered return of all internally displaced persons and refugees to their places of origin;

6. *Underlines* the need for the development of a timetable to ensure the voluntary, safe, dignified and unhindered return of all internally displaced persons and refugees affected by the conflicts in Georgia to their homes;

7. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fifth session a comprehensive report on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its sixty-fifth session the item entitled "Protracted conflicts in the GUAM area and their implications for international peace, security and development".

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[2] A/64/819.